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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 UNITED STATES OF AMERICA, ) No. CR 07-00722 HRL  
17 Plaintiff, )  
18 v. ) STIPULATION AND [PROPOSED]  
19 WILLIAM LESTER JOHNSEN, ) ORDER EXCLUDING TIME UNDER THE  
20 Defendant. ) SPEEDY TRIAL ACT.  
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29 On May 8, 2008, the parties in the above-captioned case appeared before the Court for a  
30 status hearing. At that appearance, Assistant United States Attorney Susan Knight explained to  
31 the Court that the parties had been exchanging discovery and needed additional time to discuss a  
32 disposition of the case. Assistant Federal Public Defender Manuel Araujo further explained that  
33 he had obtained the defendant's medical records and needed time to review them. The Court  
34 then granted the parties' request that the case be continued to June 12, 2008 at 9:30 a.m. before  
35 the Honorable Judge Lloyd. In addition, Assistant United States Attorney Susan Knight  
36 requested an exclusion of time under the Speedy Trial Act from May 8, 2008 to June 12, 2008.  
37 The undersigned parties agree and stipulate that an exclusion of time is appropriate based on the  
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1 defendant's need for effective preparation of counsel.

2 SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

4 DATED: 5/9/08

/s/  
5 SUSAN KNIGHT  
Assistant United States Attorney

6 DATED: 5/9/08

/s/  
7 MANUEL ARAUJO  
8 Assistant Federal Public Defender

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10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
11 under the Speedy Trial Act from May 8, 2008 to June 12, 2008. The Court finds, based on the  
12 aforementioned reasons, that the ends of justice served by granting the requested continuance  
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
14 the requested continuance would deny defense counsel reasonable time necessary for effective  
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
17 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

18 SO ORDERED.

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20 DATED: \_\_\_\_\_

21 PATRICIA V. TRUMBULL  
United States Magistrate Judge